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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,692	06/15/2001	Anders Carlsson	48851.259800	1933

28694            7590            05/08/2002  
KILPATRICK STOCKTON LLP  
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EXAMINER	
COLETTA, LORI L	
ART UNIT	PAPER NUMBER

3612  
DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SJK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/882,692	CARLSSON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Lori L. Coletta	3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

#### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 June 2001.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,5,6,9 and 10 is/are rejected.

7) Claim(s) 2-4,7,8 and 11-16 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>7</u> .	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Reference character 1 (page 2) is not shown in Figure 1.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities:

“A load-receiving element is disposed 9” (page 2) needs to changed to

--A load-receiving element 9 is disposed--.

“Moved to the pen position” (page 2) needs to be changed to

--moved to the open position--.

Appropriate correction is required.

### ***Claim Objections***

3. Claims 1-16 are objected to because of the following informalities:

Regarding claim 1, “at least one supporting member attached the cover” needs to be changed to --at least one supporting member attached to the cover--.

Regarding claim 5, “wherein the at least one supporting member further comprises a second supporting member comprising fastening members attached to the cover for suspension of goods” needs to be changed to --wherein the at least one supporting member further comprises fastening members attached to the cover for suspension of goods--.

Regarding claim 9, “the load receiving element” needs to be changed to --the load-receiving element--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese 404191138.

Regarding claim 1, Japanese ‘138 discloses a loading compartment in a floor (10) of a vehicle comprising a recess (11) in the floor of the vehicle; a cover (20) mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position; and at least one supporting member (29a) attached to the cover for securing goods placed in the storage space.

Regarding claim 5, Japanese ‘138 discloses the loading compartment wherein the at least one support member (29a) further comprises fastening members (29a) attached to the cover (20) for suspension of goods.

Regarding claim 6, Japanese '138 discloses the loading compartment further comprising an elastic cord (26) disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members (29a) thereby securing goods in the storage area.

6. Claims 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by German 198 02 077.

Regarding claim 9, German '077 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a storage space defined by the recess; a cover pivotally connected to the floor for covering the recess in a closed position and for allowing access to the storage space in an open position; and a load-receiving element matched to the shape of the recess, the load receiving detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element.

Regarding claim 10, German '077 discloses the load compartment wherein the load-receiving element is shaped as a casing, with the load-receiving surfaces having a bottom surface and side surfaces.

***Allowable Subject Matter***

7. Claims 2-4, 7, 8 and 11-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other load compartments similar to that of the current invention.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

The examiner can normally be reached on Monday-Friday 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3597 for regular communications and (703) 305-3597 for After Final communications.

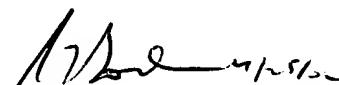
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1134.

Lori L. Coletta  
Examiner  
Art Unit 3612

llc

llc

April 24, 2002



STEPHEN T. GORDON  
PRIMARY EXAMINER